

JS 44 (Rev. 03/24)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

DANA EHDE

(b) County of Residence of First Listed Plaintiff XX
(EXCEPT IN U.S. PLAINTIFF CASES)(c) Attorneys (Firm Name, Address, and Telephone Number)
Coleman PLLC, 11 Broadway, Suite 615, New York, NY
10001. (877) 333-9427**DEFENDANTS**

BROOKESTONE FUNDING, INC.

County of Residence of First Listed Defendant Kings County, NY

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

| | |
|--|--|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)

| | PTF | DEF | PTF | DEF | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
|--|---|---|--|--|
| <input type="checkbox"/> 110 Insurance | PERSONAL INJURY | PERSONAL INJURY | | |
| <input type="checkbox"/> 120 Marine | 310 Airplane | 365 Personal Injury - Product Liability | <input type="checkbox"/> 422 Appeal 28 USC 158 | 375 False Claims Act |
| <input type="checkbox"/> 130 Miller Act | 315 Airplane Product Liability | 367 Health Care/ Pharmaceutical Personal Injury Product Liability | <input type="checkbox"/> 423 Withdrawal 28 USC 157 | 376 Qui Tam (31 USC 3729(a)) |
| <input type="checkbox"/> 140 Negotiable Instrument | 320 Assault, Libel & Slander | 368 Asbestos Personal Injury Product Liability | | 400 State Reapportionment |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment | 330 Federal Employers' Liability | | | 410 Antitrust |
| <input type="checkbox"/> 151 Medicare Act | 340 Marine | | | 430 Banks and Banking |
| <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) | 345 Marine Product Liability | | | 450 Commerce |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits | 350 Motor Vehicle | 370 Other Fraud | | 460 Deportation |
| <input type="checkbox"/> 160 Stockholders' Suits | 355 Motor Vehicle | 371 Truth in Lending | | 470 Racketeer Influenced and Corrupt Organizations |
| <input type="checkbox"/> 190 Other Contract | Product Liability | 380 Other Personal Property Damage | | 480 Consumer Credit (15 USC 1681 or 1692) |
| <input type="checkbox"/> 195 Contract Product Liability | 360 Other Personal Injury | 385 Property Damage | <input type="checkbox"/> 485 Telephone Consumer Protection Act | |
| <input type="checkbox"/> 196 Franchise | 362 Personal Injury - Medical Malpractice | 390 Product Liability | | |
| | | | <input type="checkbox"/> 420 Copyrights | 490 Cable/Sat TV |
| | | | <input type="checkbox"/> 830 Patent | 850 Securities/Commodities/ Exchange |
| | | | <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application | 890 Other Statutory Actions |
| | | | <input type="checkbox"/> 840 Trademark | 891 Agricultural Acts |
| | | | <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 | 893 Environmental Matters |
| | | | | 895 Freedom of Information Act |
| | | | | INTELLECTUAL PROPERTY RIGHTS |
| | | | <input type="checkbox"/> 710 Fair Labor Standards Act | <input type="checkbox"/> 861 HIA (1395ff) |
| | | | <input type="checkbox"/> 720 Labor/Management Relations | <input type="checkbox"/> 862 Black Lung (923) |
| | | | <input type="checkbox"/> 740 Railway Labor Act | <input type="checkbox"/> 863 DIWC/DIWW (405(g)) |
| | | | <input type="checkbox"/> 751 Family and Medical Leave Act | <input type="checkbox"/> 864 SSID Title XVI |
| | | | <input type="checkbox"/> 790 Other Labor Litigation | <input type="checkbox"/> 865 RSI (405(g)) |
| | | | <input type="checkbox"/> 791 Employee Retirement Income Security Act | |
| | | | | SOCIAL SECURITY |
| | | | | <input type="checkbox"/> 861 HIA (1395ff) |
| | | | | <input type="checkbox"/> 862 Black Lung (923) |
| | | | | <input type="checkbox"/> 863 DIWC/DIWW (405(g)) |
| | | | | <input type="checkbox"/> 864 SSID Title XVI |
| | | | | <input type="checkbox"/> 865 RSI (405(g)) |
| | | | | FEDERAL TAX SUITS |
| | | | | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) |
| | | | | <input type="checkbox"/> 871 IRS—Third Party |
| | | | | 26 USC 7609 |

Click here for: [Nature of Suit Code Descriptions](#).**V. ORIGIN** (Place an "X" in One Box Only)

| | | | | | | |
|---|---|--|---|--|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) _____ | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|---|---|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
47 U.S.C. 227**VI. CAUSE OF ACTION**Brief description of cause:
Violations of the Telephone Consumer Protection Act**VII. REQUESTED IN COMPLAINT:** CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.DEMAND \$
CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE SIGNATURE OF ATTORNEY OF RECORD

9/23/2024 s/ Stefan Coleman

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____

CERTIFICATION OF ARBITRATION ELIGIBILITY

Local Arbitration Rule 83.7 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed.

Case is Eligible for Arbitration

I, Stefan Coleman, counsel for Dana Ehde, do hereby certify that the above captioned civil action is ineligible for compulsory arbitration for the following reason(s):

| |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/> |
| <input type="checkbox"/> |

monetary damages sought are in excess of \$150,000, exclusive of interest and costs,
the complaint seeks injunctive relief,
the matter is otherwise ineligible for the following reason

DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1

Identify any parent corporation and any publicly held corporation that owns 10% or more or its stocks:

None

RELATED CASE STATEMENT (Section VIII on the Front of this Form)

Please list all cases that are arguably related pursuant to Division of Business Rule 3 in Section VIII on the front of this form. Rule 3(a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 3(a) provides that "A civil case shall not be deemed "related" to another civil case merely because the civil case involves identical legal issues, or the same parties." Rule 3 further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (b), civil cases shall not be deemed to be "related" unless both cases are still pending before the court."

NY-E DIVISION OF BUSINESS RULE 1(d)

- 1.) Is the civil action being filed in the Eastern District removed from a New York State Court located in Nassau or Suffolk County? Yes No
- 2.) If you answered "no" above:
 - a) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau or Suffolk County? Yes No
 - b) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in the Eastern District? Yes No
 - c) If this is a Fair Debt Collection Practice Act case, specify the County in which the offending communication was received:

If your answer to question 2 (b) is "No," does the defendant (or a majority of the defendants, if there is more than one) reside in Nassau or Suffolk County, or, in an interpleader action, does the claimant (or a majority of the claimants, if there is more than one) reside in Nassau or Suffolk County? Yes No

(Note: A corporation shall be considered a resident of the County in which it has the most significant contacts).

BAR ADMISSION

I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.

Yes No

Are you currently the subject of any disciplinary action (s) in this or any other state or federal court?

Yes (If yes, please explain) No

I certify the accuracy of all information provided above.

Signature: 